

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,  
*Plaintiff,*

v.

CRIMINAL NO. 17-630 (PG)

DELIO BONILLA-MORALES,  
*Defendant.*

**SENTENCING MEMORANDUM**

Referring to his family, Delio cried: "I grew up with nothing, but have everything." The oldest of ten, Delio is a family oriented person who is pained by how his return to the United States has hurt his family. At age 48, Delio became desperate after Hurricane Maria devastated his crops in Miches, Dominican Republic. Desperate by the thought his crops would take eight months to regrow, he ignored his family's pleas to stay in Miches. Now in custody, Delio realizes his move to Puerto Rico leading to the instant offense caused not only financial problems, but problems with his family as well. Delio's 23-year-old son now punishes his father by refusing to answer any of his phone calls. His son's rejection makes Delio feel chills in his chest.

Delio prides himself in being a part of a tight knit family, offering support during times of financial crisis. He explains he grew up with nothing in a small, two-room house with his parents and nine siblings in Miches. The house he grew up in had no floor, no electricity, and no water and the bathroom was outdoors. The bedroom had three beds: one for his parents, one for all of his sisters, and one for himself and all of his brothers. It was inevitable for a family of twelve sleeping on three beds to grow close.

As the oldest child, Delio never went to school in order to care for the family. Wearing broken shoes, Delio would knock down cacao, load coconuts onto trucks, sell candy, carry clean clothes from

the river, and work construction. Once his father left when he was seventeen years old, Delio told his mother not to remarry. Delio assured her he was stronger than his father was and would be a better provider for the family. His sisters describe him as someone who loves in a selfless manner.

In his mid-20's, Delio sustained a relationship with Aguedita and fathered a son. In his early 30's, Delio moved to Massachusetts to find a stable job and send money to his son in the Dominican Republic. While in Massachusetts, he lived with his sister and worked at a puzzle factory working over forty hours a week. Delio then moved to Connecticut with his sister in 2004. There, he met Antonia, a secretary in a hospital in Hartford, with whom he had two children. He worked at a bodega and sold sodas from a truck in order to support his children. Once he returned to the Dominican Republic, he began a relationship with Judy and fathered his fourth child.

Maintaining a close relationship with his children is important to Delio and he makes sure to see them frequently. Four years ago, he hosted a family reunion in the Dominican Republic and his children from Connecticut visited him. All the family members that traveled from the United States took air mattress and slept in a tent Delio set up in the patio. There were so many people visiting that neighbors thought someone passed away, as it is customary to rent a tent at wakes. The family reunion is a memory that Delio keeps close to his heart.

Delio is proud of his family's accomplishments. His sisters have steady jobs at a restaurant, bakery, factory, and maintenance at a university. His youngest sister is studying to be a professor. They all try to help Delio financially when they are able, recognizing the sacrifices he has made for the family. Delio, though, does not want to depend on his sisters, who do not have much more than him.

Delio also has to support his four children, but this responsibility became impossible after Hurricane Maria destroyed all of his crops in Miches. An article from Diario Libre, Dominican

Republic's newspaper, describes Miches as a ghost town after the passing of the hurricane.<sup>1</sup> Senator Santiago Zorrilla suspects "it will take months and perhaps years to recover from the damage, which left behind an atmospheric phenomenon."<sup>2</sup> Unable to immediately work as a famer, Delio realizes receiving an education is the best way for him to secure a job to keep supporting his four children. He is embarrassed to admit he never went to school but, as the oldest of ten children, is proud to have made that sacrifice in order to raise his family. He has proven his commitment to learning how to read and write by taking classes while in custody under the care of another inmate who offers beginner literacy and arithmetic lessons one hour a day and five times a week. Delio has already demonstrated he learned from a negative experience and started plans to receive an education. Until he finds a steady job, he will work with a close friend cleaning beaches for the municipality in Miches.

Delio's recommended advisory range is 10-16 months. This sentencing range arises from his prior 8 U.S.C. § 1325 and escape charge, both from 2015. Delio never planned to disobey instructions to remain outside the United States, but mitigating circumstances drove him to commit the instant offense. Acting with good motives to take care of his children, he came to Puerto Rico to seek employment after Hurricane Maria ruined all his crops. Consequently, he has been imprisoned since December 3, 2017 and has not been able to financially provide for his family. Delio is asking he be given the chance to continue along the better path he is turning to after learning these lessons.

I HEREBY CERTIFY that on this date I electronically filed the present notice with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the parties of record.  
RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 18th day of May, 2018.

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<sup>1</sup> Vega, Manuel. "El huracán María hizo a Miches un 'pueblo fantasma.'" *Diario Libre*. 22 Sept. 2017. <https://www.diariolibre.com/noticias/el-huracan-maria-hizo-a-miches-un-pueblo-fantasma-AG8228534>  
<sup>2</sup> Counsel's translation.

ERIC ALEXANDER VOS  
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